

1904-040 Chancery Causes: John M. Music vs. Susan Music
Lee Co.

Griffith, Thompson

CA-Divorce

T-Vices

Virginia/ Lee Circuit Court.

To the Hon. H. A. W. Skeen, Judge of the Circuit Court,
of Lee County.

Humbly complaining your orator, John M. Music, a citizen
of said County for more than twelve months prior to the institution
of this suit, would respectfully represent and show unto your honor,
that he was married to Susan Music, nee Griffith on or about the ____
day of ~~October~~, 1900, and lived with his said wife until on or about
the ____ day of June, 1904, when she voluntarily abandoned his home, and
since said time she has been living in adultery with various persons; ~~ta~~
that she on the ____ day of ____, 1904, in and about the vicinity of
the town of Dryden, Virginia, and at various other times and places,
both before and since said date, has committed adultery with other men,
and that your orator has not ~~consulted~~ ^{been} with her since he learned of her
said acts of adultery, nor where her said acts of adultery committed by
his procurement or connivance.

The object therefore of this bill is to obtain a divorce from
the bonds of matrimony existing between him and his said wife. To
this end he makes the said Susan Music the party defendant to this bill
and asks that she be required to answer the same, but not on oath, answer
on oath being waived; ^{and asks} that on a hearing the relief above asked be granted
and ~~that~~ all such other, further and general relief as he may be enti-
tled to. And your orator will ever pray, &c.

J. C. Noel, p.q.

John M. Music¹
253 Bill in Chy.
Susan Music

1904 1st Sept. Rules.
Bill filed, Spa. Ex-
cuted & D.N.
2nd Sept. Rules.
D.N. confirmed &
Cause set for hear-
ing by Plaintiff.

1900 to 10

Costs:
Clerk — \$3.73
Shff — 1.60
Atty — 15.00
1.50 p.d.
Cax — \$21.83

John M. Musick, Complainant,)
vs) In Chancery.
Susan Musick, Def't.,)

This cause came on this day to be heard upon the bill of the complaint, the process duly executed on the defendant, the cause regularly matured at rules and set for hearing by the complainant, and the depositions of witnesses, and was argued by counsel for the complainant.

On consideration whereof, and the defendant failing to appear, it is adjudged ordered and decreed, that the bonds of matrimony existing between the complainant and the defendant be and are hereby dissolved, and the parties declared to be sole and single. And this cause is stricken from the docket.

John M. Musick,
vs { Dr. Chancery.

Susan Musick

Decree Final.

Entered C.C.P. No. 7,
page 502vc

~~Decree Final~~

Enter this Decree

J. C. C. V. Greene

Sept 20, 1904 -

Judge

The depositions of C. E. Thompson John M. Music.
& Albert Music.

taken before me, James W. Orr, a Commissioner
in Chancery, for the circuit court of Lee county
Va. at the dwelling house of John M. Music,
pursuant to the notices, hereto attached, and
which depositions are intended to be read as
evidence in a suit in Chancery pending in
said court, wherein the said John M. Music
is plaintiff and Susan Music is defendant.
On this the 15th day of September 1904.

Present - J. C. Vacl Counsel for plaintiff.

Ques 1. Please give your age, residence & occupation?
Ans. About 24 years, Live in Pocket in Lee co Va.
Miner of coal.

Ques 2. Are you acquainted with John M. Music &
Susan Music the parties to this suit?

Ans. I am acquainted with both of them.

Ques 3. At any time within the last five years and
since the said parties have been married to
each other, have you known the said Susan
Music to have carnal knowledge with
any man other than her said husband?

Ans. I have. More than once.

Ques 4. Did it take place in the vicinity of Dryden Va?
It was in the vicinity of Dryden Va.
And further this deponent saith not.

C. E. Thompson.
witness

John M Music, Plaintiff, - Another witness
of lawful age and being duly sworn, deposes & says:
Ques 1. Please give your age, residence & occupation.

Ans. I am about 45 years old, reside in Lee co Va.
near Dryden & have for over four years, and
am a farmer.

Ques 2. Are you the plaintiff in this suit?

Ans. I am.

Ques 3. When were you married to Susan Music
the defendant.

Ans. I will be four years in next Month. & she
is my second wife.

Ques 4. How many children have you by your
first wife?

Ans. Four, and the youngest is nine years old
last May, and the oldest was born May 31st
1885. Two older are boys & the two younger girls.

Ques 5. Describe in your own way the manner
in which the said Susan has behaved her-
self toward you and your said children
since your marriage to her.

Ans. Not very long after we were married, she became
quarrelsome and ill toward the children ^{myself} and
threatened to kill and fasion the boys, and
threatened to fasion me, and threatened to get
some one to kill me. After this she left home
and stayed about two months, and then came
back and done better for a short time, and then

became ill and abused the two little girls and threatened to kill Lora the ablest one, and with a cluk in hand started toward her saying she would kill her, and I caught her and prevented her doing so. At one time, and after she had threatened to kill me, I found a butcher knife under the pillow one night, and drew it out, and asked her what that meant and she said she put it there for ^{some} purpose. The knife had been made sharper than usual. After this and about the first of August last she left my home and has not returned.

Ques 6. State whether or not, the adultery spoken of by C. C. Thompson as any other adultery committed by her was done by your procurement, consent or connivance.

Ans It was not.

Ques 7. Have you cohabited since you learned of her acts of adultery?

Ans I have not.

And further this deponent swears not.

John M. ^{his} music
mark

Albert Music, another witness of lawful age and being duly sworn deposes & says.

Ques 1. State your age and residence.

Ans 16 years old last April & live near Dryden Va.

Ques 2. Are you acquainted with the deft Susan Music?

Ans I am.

Ques 3. State whether or not you ever saw her with any man other than her husband after night within the last five years & since her marriage to plaintiff.

Ans Yes I saw her & C. E. Thompson together one night coming from J. E. Hakes near Dryden Va. There had been a play near John M Musics and she & I and others were there. She left some time before I did and when I got to John M Musics she was not there and after some time she and Thompson passed a house near John M Musics together coming in the direction of her home, but stopped at the other house, and in a short time she came on home. They were alone together.

Ans further this deponent with not.

Elbert ^{his} Music
mark

The foregoing depositions of C. E. Thompson, John M Music & Elbert Music were duly taken, subscribed and sworn to before me at the time and place and for the purposes in the caption mentioned. Given under my hand Sept 15th 1904.

James W. Orr, Court in
Chancery.

John M Music

vs
Edmond

Susan Music

Filed Sept 16th 1904.

W. C. Henning, Clerk.

To Susan Musick:

You are hereby notified that ~~xx~~ at my dwelling house in Lee county Va on the 15th day of September, 1904, between the hours 9 o'clock A.M. and 6 o'clock P.M. of that day, I shall proceed to take the depositions of E.M. Gilbert and others to be read as evidence in my behalf in a certain suit in equity depending in the Circuit court for Lee county, Va., wherein I am the plaintiff and ~~x~~ you are the defendant.

Very respectfully,

John M. Musick
By his Counsel J. H. Hock,

John M. Marich
20 1/2 Chancery
Susan Marich

Notice to take depositions

has been set this 12
day of Sept. 1904,
for delivering a
blue copy of
the within notice
to Susan Marich.

J. L. Hughes & Co
P.M. Bull & Co

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU THAT YOU SUMMON

Charles Compton
Charles Thomson and George Eleanor.

James W Orr, Commissioner in Chancery the residence
to appear before ~~the Judge of our Circuit Court of the County of Lee, at the court-house~~
of John M. Musie, near Dryden, Va.
~~thereof~~, on the *15th* day of *Sept.* 190*4*, to testify and the truth to say

in behalf of the *Plaintiff*, in a certain matter of controversy in our said court
before the said Judge depending and undetermined between

John M. Musie

Plaintiff, and

Susan Musie

Defendant .

And this

you

shall in no wise omit, under the penalty of £100. And have then there this writ.

Witness, *H. C. Ewing*
A. B. Munsey, Clerk of our said court, at the court-house the *10th* day of

Sept

190*4*,

and in the 12 *9th* year of the Commonwealth.

H. C. Ewing, Clerk.

John M. Musie

vs.

SUBPOENA
FOR
WITNESS.

Susan Musie

Lee Circuit Court,
the *15th* day of *Sept.*

1904

executed by sum
mon the within
witness this
Sept. 13. 1904
J. F. Hughes D. R.
for J. M. Ball
D. L. C.
at New York
Oct. 1904

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon Susan Music

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the 1st Monday in Sept., 1904, to answer a bill in chancery exhibited against her in our said court by

John M. Music

And have then there this writ. Witness, N. C. Ewing ~~A. B. MUNSEY~~, Clerk of our said Court, at the court-house, the 26 day of August, 1904, and in the 12 9th year of the Commonwealth.

N. C. Ewing, Clerk.

Sept the 1. 1904

John M. Music

vs.

SUBPEONA
IN CHANCERY.

Susan Music

Ordn & Noels p. q.

To 1st Sept Rules.
Circuit Court.

Executed this 1st
day of Sept. 1904
by deliverin^g an
office copy of the
within writ to Susan
Music.

J. J. Hughes Deputy for
P. M. Ball S. L. C.